

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)
Plaintiff,)
)
v.	) Civil Action No. 04-12582-RCL
)
301 ADAMS STREET, QUINCY,)
MASSACHUSETTS; 1548-1558)
DORCHESTER AVENUE, DORCHESTER,)
MASSACHUSETTS; FIVE (5) CERTAIN)
PARCELS OF LAND WITH THE)
BUILDINGS(S) THEREON IN BROCKTON)
PLYMOUTH COUNTY, MASSACHUSETTS,)
COMMONLY KNOWN AS 11 ROSSETER)
STREET, 16 ROSSETER STREET,)
213-223 NORTH MAIN STREET, 204)
NORTH MONTELLO STREET, AND 227)
NORTH MAIN STREET, INCLUDING ALL)
APPURTENANCES AND IMPROVEMENTS)
THEREON; \$67,561.88 IN UNITED)
STATES CURRENCY; and \$26,776.42 IN)
UNITED STATES CURRENCY, SEIZED)
FROM ASIAN AMERICAN BANK CHECKING)
ACCOUNT NUMBER 310029269,)
Defendants.)

UNITED STATES' MOTION FOR RELEASE OF *LIS PENDENS*

The United States of America, by its attorney, Michael J. Sullivan, United States Attorney for the District of Massachusetts, hereby moves that this Court authorize the United States to release the Lis Pendens which has been recorded at the Suffolk County Registry of Deeds on the following real property, described as:

the real property and buildings located at 1548-1558
Dorchester Avenue, Dorchester, Massachusetts, having a
deed recorded at the Suffolk County Registry of Deeds
at Book 32823, Page 262, ("1548 Dorchester"), currently
owned by Tina Le.

As grounds for this motion, the United States submits that

the United States of America, by its attorney, and Claimants Tina Le and Greenpoint Mortgage Funding, Inc., by their respective attorneys (collectively, the "Parties"), have jointly moved that this Court enter an Order permitting the interlocutory sales of the 1548 Dorchester property, and the other Defendant Real Properties involved in this instant civil forfeiture matter, and the District Court endorsed the Order for Interlocutory Sales of the 1548 Dorchester property, and the other Defendant Real Properties, on March 21, 2006 (see Document No. 41). The Parties agree that the 1548 Dorchester property should now be sold, and the net proceeds from the sale of the 1548 Dorchester property shall become the substitute res for the 1548 Dorchester property, and shall be held by the United States Marshals Service, in its Seized Assets Deposit Fund, pending the conclusion of this case and the related criminal case, United States v. Tina Le, et al., Criminal Action No. 05-10277-PBS.

WHEREFORE, the United States requests that the Court authorize the release of the Lis Pendens for the 1548 Dorchester property issued in this instant case. A proposed Release of Lis Pendens is submitted herewith for consideration by the Court.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: /s/ Kristina E. Barclay
KRISTINA E. BARCLAY
Assistant U.S. Attorney
1 Courthouse Way, Suite 9200
Boston, MA 02210
(617) 748-3100

Date: October 5, 2007

CERTIFICATE OF SERVICE

This is to certify that the foregoing United States' Motion for Release of Lis Pendens, and the proposed Release of Lis Pendens, filed through the Electronic Case Filing system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing.

/s/ Kristina E. Barclay
Kristina E. Barclay
Assistant U.S. Attorney

Date: October 5, 2007

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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)	
Plaintiff,)	
	)	Civil Action No. 04-12582-RCL
v.)	
)	
301 ADAMS STREET, QUINCY,	)	<u>Record Owner:</u>
MASSACHUSETTS; 1548-1558	)	Tina Le
DORCHESTER AVENUE, DORCHESTER,)	
MASSACHUSETTS; FIVE (5)	)	<u>Property:</u>
CERTAIN PARCELS OF LAND WITH THE	)	1548 Dorchester Avenue
BUILDINGS(S) THEREON IN BROCKTON	)	Dorchester, Massachusetts
PLYMOUTH COUNTY, MASSACHUSETTS,)	
COMMONLY KNOWN AS 11 ROSSETER	)	Suffolk County
STREET, 16 ROSSETER STREET,	)	<u>Registry of Deeds</u>
213-223 NORTH MAIN STREET, 204	)	Book: 32823 Page: 262
NORTH MONTELLO STREET, AND 227)	
NORTH MAIN STREET, INCLUDING ALL)	
APPURTENANCES AND IMPROVEMENTS)	
THEREON; \$67,561.88 IN UNITED)	
STATES CURRENCY; and \$26,776.42 IN)	
UNITED STATES CURRENCY, SEIZED)	
FROM ASIAN AMERICAN BANK CHECKING)	
ACCOUNT NUMBER 310029269,)	
Defendants.)	

RELEASE OF LIS PENDENS

TO ALL WHOM IT MAY CONCERN:


PLEASE TAKE NOTICE that the United States of America, by its attorney, Michael J. Sullivan, United States Attorney for the District of Massachusetts, hereby releases the Lis Pendens against the real property and buildings located at 1548-1558 Dorchester Avenue, Dorchester, Massachusetts ("1548 Dorchester"). For title to 1548 Dorchester, see Book 32823, Page 262, of the Suffolk County Registry of Deeds, reflecting the conveyance of the property by Quitclaim Deed on September 19, 2003.

This Release is made by agreement of the parties.

The Lis Pendens was recorded on December 16, 2004, at the Suffolk County Registry of Deeds, a copy of which is attached.

Signed under the pains and penalties of perjury this 5th day of October, 2007.

MICHAEL J. SULLIVAN
United States Attorney

By: 
KRISTINA E. BARCLAY
Assistant U.S. Attorney
1 Courthouse Way, Suite 9200
Boston, MA 02210
(617) 748-3100

COMMONWEALTH OF MASSACHUSETTS

Suffolk, ss.

Boston

Then personally appeared the above named Kristina E. Barclay, Assistant United States Attorney, and acknowledged the foregoing to be true to the best of her knowledge, information, and belief, and to be her free act and deed on behalf of the United States of America.

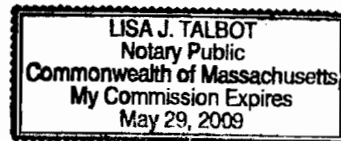
Subscribed to and sworn before me this 5th day of October, 2007.


Notary Public
My commission expires: 5/29/09

SO ORDERED AND ENDORSED:

REGINALD C. LINDSAY
United States District Court Judge

Dated: _____





12/16/2004 Doc: 0075

36110 028

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

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UNITED STATES OF AMERICA,
Plaintiff,

v.

301 ADAMS STREET, QUINCY,
MASSACHUSETTS; 1548-1558
DORCHESTER AVENUE, DORCHESTER,
MASSACHUSETTS; and FIVE (5)
CERTAIN PARCELS OF LAND WITH THE
BUILDINGS(S) THEREON IN BROCKTON
PLYMOUTH COUNTY, MASSACHUSETTS,
COMMONLY KNOWN AS 11 ROSSETER
STREET, 16 ROSSETER STREET,
213-223 NORTH MAIN STREET, 204
NORTH MONTELLO STREET, AND 227
NORTH MAIN STREET, INCLUDING ALL
APPURTENANCES AND IMPROVEMENTS
THEREON,

Defendants.

) FILED EX PARTE AND UNDER SEAL

) Civil Action No.

04-12582 RCL

) Record Owner:

) Tina Le

) Property:) 1548 Dorchester Avenue
Dorchester, Massachusetts

) Suffolk County

) Registry of Deeds

) Book: 32823 Page: 262

HEREBY I CERTIFY ON 12/15/07
THAT THE FOREGOING DOCUMENT IS A TRUE
AND CORRECT COPY OF THE ORIGINAL ON FILE
IN MY OFFICE AND IN MY LEGAL CUSTODY.

TONY ANASTAS

CLERK, U.S. DISTRICT COURT
DISTRICT OF MASSACHUSETTSBY: Don StenhouseLIS PENDENS

TO ALL WHOM IT MAY CONCERN:

PLEASE TAKE NOTICE that the United States of America, by its attorney, Michael J. Sullivan, United States Attorney for the District of Massachusetts, has caused a Verified Complaint for Forfeiture in Rem to be filed against the real property and buildings located at 1548-1558 Dorchester Avenue, Dorchester, Massachusetts, having a deed recorded at the Suffolk County Registry of Deeds at Book 32823, Page 262, currently owned by (the "1548 Dorchester"). The Complaint alleges that 1548 Dorchester constitutes or is derived from, proceeds of mail fraud and/or wire fraud, in violation of 18 U.S.C. §§ 1341 and/or 1343, and therefore is subject to forfeiture pursuant to 18 U.S.C. §



Lisa J. Talbot, Probated Secretary
U.S. Attorney's Office
1 Courthouse Way, Suite 900

36110 029


981(a)(1)(C). In addition, the Complaint further alleges that 1548 Dorchester was involved in transactions or attempted transactions in violation of 18 U.S.C. §§ 1956 and/or 1957, and therefore is subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(A).

For title to 1548 Dorchester, see Book 32823, Page 262, of the Suffolk County Registry of Deeds, reflecting the conveyance of the property by Quitclaim Deed on September 19, 2003.

Respectfully submitted,

MICHAEL J. SULLIVAN
United State Attorney

By:


KRISTINA E. BARCLAY
Assistant U.S. Attorney
Suite 9200
1 Courthouse Way
Boston, MA 02210
(617) 748-3100

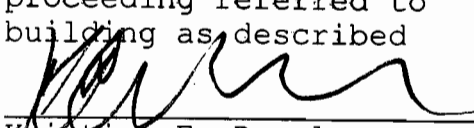
Dated: December 9, 2004

COMMONWEALTH OF MASSACHUSETTS

Suffolk, ss.

OATH

The undersigned Kristina E. Barclay, Assistant United States Attorney, on her oath declares that the proceeding referred to above affects the title to the land and building as described above.

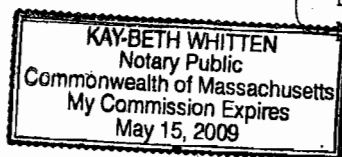

Kristina E. Barclay
Assistant U.S. Attorney

Dated: December 9, 2004

36110 030

Then personally appeared the above-named Kristina E. Barclay, Assistant United States Attorney, and acknowledge the foregoing to be true to the best of her knowledge, information and belief, and to be her free act and deed on behalf of the United States of America.

Subscribed to and sworn before this 9 day of December, 2004.



Kay Beth Whitten
NOTARY PUBLIC

My Commission expires:

May 15, 2009

The above-captioned action constitutes a claim of right to title to real property or the use and occupation thereof or the building thereon.

SO ORDERED AND ENDORSED:

[Signature]
United States District Judge

Date: 12/7/04

36110 031

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)	
Plaintiff,)	
)	Civil Action No. 04-12582-RCL
v.)	
)	
301 ADAMS STREET, QUINCY,)	<u>Record Owner:</u>
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DORCHESTER AVENUE, DORCHESTER,)	
MASSACHUSETTS; and FIVE (5))	<u>Property:</u>
CERTAIN PARCELS OF LAND WITH THE)	1548 Dorchester Avenue
BUILDINGS(S) THEREON IN BROCKTON	)	Dorchester, Massachusetts
PLYMOUTH COUNTY, MASSACHUSETTS,)	
COMMONLY KNOWN AS 11 ROSSETER)	Suffolk County
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213-223 NORTH MAIN STREET, 204)	Book: 32823 Page: 262
NORTH MONTELLO STREET, AND 227)	
NORTH MAIN STREET, INCLUDING ALL)	
APPURTENANCES AND IMPROVEMENTS)	
THEREON,)	
Defendants.)	

AFFIDAVIT OF SERVICE

I, Sarah Burkett Slatley, Foreclosure Paralegal, Federal Bureau of Investigation, being duly sworn, depose and say:

1. The attached Lis Pendens was issued in the above-captioned case and relates to real property which is subject to forfeiture pursuant to Title 18, United States Code, Sections 981(a)(1)(C) and 981(a)(1)(A).

2. I have caused to be served the aforementioned Lis Pendens by certified mail addressed to:

Tina Le
301 Adams Street
Quincy, MA 02169

Steven Nguyen
301 Adams Street
Quincy, MA 02169

Suffolk County Registry of Deeds
24 New Chardon Street
Boston, MA 02114

Barron & Stadfeld
50 Staniford Street
Suite 200
Boston, MA 02114

36110 032

Greenpoint Mortgage Funding, Inc.
2300 Brookstone Center Parkway
Columbus, OH 31309

Equity One, Incorporated
200 Chauncy Street
Mansfield, MA 02048

City of Boston
Assessing Department
1 City Hall Plaza, Rm 302
Boston, MA 02201

Equity One, Incorporated
25 South River Road
Bldg. #1, Unit 104
Bedford, MA 03110

Greenpoint Mortgage Funding, Inc.
2300 Brookstone Center Parkway
Columbus, OH 31309

Quincy Tax Assessor's
Office
1345 Hancock Street
Quincy, MA 02169

3. The Lis Pendens will also be served upon counsel for any claimant after counsel files his/her appearance.

Signed under the pains and penalties of perjury this 16 day of December, 2004.

Sarah Burkitt Slattery
Sarah Burkitt Slattery
Forsythe Perulegal
Federal Bureau of Investigation

Commonwealth of Massachusetts

Suffolk, SS.

On this 16 day of December, 2004, before me, the undersigned notary public, personally appeared _____,

Sarah Burkitt Slattery
who proved to me through satisfactory evidence of identification, which were FD-302 Credentials, to be the person whose name is signed on the preceding or attached document, and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of his/her knowledge and belief.

Desi Sideropoulos
(official signature and seal of notary)

My commission expires 12/17/2010



DESI SIDEROPOULOS
Notary Public
Commonwealth of Massachusetts
My Commission Expires
December 17, 2010